

CHARTER

World Trade Center Health Program Scientific/Technical Advisory Committee

Authority

The World Trade Center Health Program Scientific/Technical Advisory Committee was established by Public Law 111-347 (The James Zadroga 9/11 Health and Compensation Act of 2010, Title XXXIII of the Public Health Service Act), Section 3302(a), enacted on January 2, 2011. The Advisory Committee is governed by the provisions of Public Law 92-463, the Federal Advisory Committee Act, as amended (5 U.S.C. App.), which sets forth standards for the formation and use of advisory committees by the Executive Branch.

Objective and Scope of Activities

The James Zadroga 9/11 Health and Compensation Act of 2010 (the Act) established within the Department of Health and Human Services (HHS) the World Trade Center (WTC) Health Program. The WTC Health program shall provide beginning on July 1, 2011: (1) medical monitoring and treatment benefits to eligible emergency responders and recovery and cleanup workers (including those who are Federal employees) who responded to the September 11, 2001, terrorist attacks; and (2) initial health evaluation, monitoring, and treatment benefits to residents and other building occupants and area workers in New York City who were directly impacted and adversely affected by such attacks (“survivors”).

Certain specific activities of the WTC Program Administrator are reserved to the Secretary, HHS, to delegate at her discretion; other WTC Program Administrator duties not explicitly reserved to the Secretary, HHS, are assigned to the Director of the National Institute for Occupational Safety and Health (NIOSH). The administration of the World Trade Center Health Program Scientific/Technical Advisory Committee (Advisory Committee) established under Section 3302(a) is left to the Director of NIOSH in his role as WTC Program Administrator. Section 3302(a) authorizes the WTC Program Administrator to establish and appoint advisory committee members.

Description of Duties

Section 3302(a)(1) establishes that the Advisory Committee will review scientific and medical evidence and make recommendations to the WTC Program Administrator on additional WTC Health Program eligibility criteria and additional WTC-related health conditions. The committee may be consulted on other matters as related to and outlined in the Act at the discretion of the WTC Program Administrator.

Agency or Official to Whom the Committee Reports

Section 3302(a)(1) instructs the committee to provide advice to the WTC Program Administrator.

Support

The Centers for Disease Control and Prevention (CDC) and NIOSH shall provide administrative services, funds, facilities, staff, and other necessary support services, and perform the administrative functions of HHS under the Federal Advisory Committee Act, as amended (5 U.S.C. App.), with respect to the committee.

Estimated Annual Operating Costs and Staff Years

The estimated annual cost for committee operations for FY-2012, including compensation for members, but excluding staff support, is \$68,350. Estimated annual person-years of required staff support is 0.20 with an estimated annual cost of \$31,650. Total annual operating costs are estimated to be \$100,000 for FY-2012.

Designated Federal Officer

The WTC Program Administrator will select a full-time or permanent part-time Federal employee to serve as the Designated Federal Official (DFO) to attend each committee meeting and ensure that all procedures are within applicable statutory, regulatory, and HHS General Administration Manual directives. The DFO will approve and prepare all meeting agendas, call all of the committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the committee reports. The DFO or his/her designee shall be present at all meetings of the full committee and subcommittees.

Estimated Number and Frequency of Meetings

The frequency of meetings shall be determined by the WTC Program Administrator based on program needs at the call of the DFO. Meetings shall be open to the public except as determined otherwise by the Secretary, HHS, or other official to whom the authority has been delegated; in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and Section 10(d) of the

Federal Advisory Committee Act; notice of all meetings shall be given to the public. Meetings shall be conducted, and records of the proceedings kept, as required by applicable laws and Departmental regulations.

Duration

Continuing

Termination

Statutory authority is specified in Section 3302(a)(5), for the committee to continue in operation during the period in which the WTC Health Program is in operation, currently set for re-evaluation in 2016. This Advisory Committee Charter is to be renewed every two years, as required under 5 U.S.C. App., Section 14(b)(2).

Membership and Designation

In accordance with Section 3302(a)(2) of the Act, the WTC Program Administrator shall appoint 15 members of the committee and include at least: 4 occupational physicians, at least two of whom have experience treating WTC rescue and recovery workers; 1 physician with expertise in pulmonary medicine; 2 environmental medicine or environmental health specialists; 2 representatives of WTC responders; 2 representatives of certified-eligible WTC survivors; an industrial hygienist; a toxicologist; an epidemiologist; and a mental health professional. Other members may be appointed at the discretion of the WTC Program Administrator. Members, other than federal government employees, ~~will~~^{will not} be deemed special government employees.

Subcommittees

Subcommittees composed of members of the parent committee may be established as needed with the approval of the WTC Program Administrator. The subcommittees must report back to the parent committee and do not provide advice or work products directly to the WTC Program Administrator. The HHS Committee Management Officer will be notified upon establishment of each subcommittee and will be provided information on its name, membership, functions, and estimated frequency of meetings.

Recordkeeping

The records of the Advisory Committee and established subcommittees of the committee shall be managed in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Filing Date

Approved:

Date

NIOSH Director, as the World Trade Center
Program Administrator